

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Aaron Olson,

Civil No. 14-306 (DWF/JJG)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Christopher Kopel, Austin Peterson, Siv Yurichuk,
Karl Schreck, Todd McMurray, Ron Rolins,
Steven Pavoni, Chisago County, Washington
County, and City of Fridley,

Defendants.

This matter is before the Court upon Plaintiff Aaron Olson's ("Plaintiff") motion to amend the Complaint and self-styled objection (Doc. Nos. 7, 8) to Magistrate Judge Jeanne J. Graham's March 11, 2014 Report and Recommendation (Doc. No. 6).

Defendants City of Fridley, Siv Yurichuck, Karl Schreck, Todd McMurray, Steven Pavoni, Chisago County, Washington County, Christopher Kopel, Austin Peterson, and Ron Rollins (together, "Defendants") filed responses to Plaintiff's objection and motion to amend on April 7, 2014. (Doc. Nos. 12-15, 18.)

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objection. Having carefully reviewed the record, the Court

concludes that Plaintiff's objection offers no basis for departure from the Report and Recommendation.

Plaintiff appears to generally object to the Magistrate Judge's recommendation that this case be summarily dismissed. (*See generally* Doc. Nos. 7, 8.) The undersigned agrees with the Magistrate Judge's determination that Plaintiff's Complaint fails to state a valid claim. (*See* Doc. No. 6 at 2-4.) The Court has also reviewed Plaintiff's proposed Amended Complaint. (*See* Doc. No. 8, Exs. 1 & 2.) Even taking into consideration the additional allegations contained within Plaintiff's proposed Amended Complaint (*see id.*), and assuming that it should serve as the operative Complaint, the Amended Complaint would still not survive a motion to dismiss for the reasons stated in the Report and Recommendation. (*See* Doc. No. 6 at 2-4.) While Plaintiff attempts to identify the constitutional provisions pursuant to which he seeks relief in his new pleading, including alleged Due Process and Fourth Amendment violations, and also asserts claims of defamation and discrimination, the allegations within the Amended Complaint do not appear to support a cause of action under any identified legal doctrine for which he would be entitled to redress. The Court thus concludes, as did Magistrate Judge Graham, that Plaintiff has failed to assert a plausible claim against Defendants. Consequently, the Court dismisses this matter.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Aaron Olson's self-styled objection (Doc. No. [7]) to Magistrate Judge Jeanne J. Graham's Report and Recommendation is **OVERRULED**.

2. Magistrate Judge Jeanne J. Graham's Report and Recommendation (Doc. No. [6]) is **ADOPTED**.

3. This action is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

4. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED AS MOOT**.

5. Plaintiff's Motion to Amend Complaint (Doc. No. [8]) is **DENIED AS MOOT**.

6. Plaintiff's Motion for Clarification (Doc. No. [20]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 5, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge